

ASSEMBLY BILL

No. 1074

Introduced by Assembly Member Conway

February 27, 2009

An act to amend Section 7027.3 of the Business and Professions Code, relating to contractors.

LEGISLATIVE COUNSEL'S DIGEST

AB 1074, as introduced, Conway. Contractors: fraudulent license numbers.

Existing law provides that it is a crime if a person willfully and intentionally uses, with the intent to defraud, a contractor's license number that does not correspond to the number on a currently valid contractor's license held by that person.

This bill would instead provide that it is a crime if a person willfully and intentionally uses, with the intent to defraud, any number that does not correspond to the number on a currently valid contractor's license held by that person.

Because a violation of the bill's provisions would be punished as a crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 7027.3 of the Business and Professions
2 Code is amended to read:

3 7027.3. Any person, licensed or unlicensed, who willfully and
4 intentionally uses, with intent to defraud, a ~~contractor's license~~
5 number that does not correspond to the number on a currently valid
6 contractor's license held by that person, is punishable by a fine
7 not exceeding ten thousand dollars (\$10,000), or by imprisonment
8 in state prison, or in county jail for not more than one year, or by
9 both that fine and imprisonment. The penalty provided by this
10 section is cumulative to the penalties available under all other laws
11 of this state. If, upon investigation, the registrar has probable cause
12 to believe that an unlicensed individual is in violation of this
13 section, the registrar may issue a citation pursuant to Section
14 7028.7.

15 SEC. 2. No reimbursement is required by this act pursuant to
16 Section 6 of Article XIII B of the California Constitution because
17 the only costs that may be incurred by a local agency or school
18 district will be incurred because this act creates a new crime or
19 infraction, eliminates a crime or infraction, or changes the penalty
20 for a crime or infraction, within the meaning of Section 17556 of
21 the Government Code, or changes the definition of a crime within
22 the meaning of Section 6 of Article XIII B of the California
23 Constitution.